

**Changes to legislation:** Transport (Scotland) Act 2005, Cross Heading: Staff is up to date with all changes known to be in force on or before 18 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 1 FURTHER PROVISION ABOUT REGIONAL TRANSPORT PARTNERSHIPS

### Staff

1 A Transport Partnership shall appoint such employees as it considers necessary for the carrying out of its functions.

#### Commencement Information

**I1** Sch. 1 para. 1 in force at 10.10.2005 by S.S.I. 2005/454, art. 2, Sch. 2

2 If—

- (a) proceedings are brought against an employee of a Transport Partnership in respect of—
  - (i) anything done by the employee in accordance or purportedly in accordance with an enactment; or
  - (ii) anything not done by the employee which it is alleged should have been done by the employee in accordance with an enactment; and
- (b) the Transport Partnership is satisfied that the employee honestly believed—
  - (i) that the act or omission was within the scope of the employee's employment; and
  - (ii) that the employee was, under the enactment, required or entitled to do what was done or omit to do what should have been done,

then the Transport Partnership may indemnify all or any part of any damages or expenses which the employee might have been ordered to pay or might have or has incurred.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 10.10.2005 by S.S.I. 2005/454, art. 2, Sch. 2

3 A Transport Partnership—

- (a) shall obtain an appropriate guarantee for the accounting for all money and property which is or is likely to be in the custody or under the control of its employees;
- (b) may obtain such a guarantee for all money and property which is or is likely to be in the custody or under the control of any person other than one of its employees.

#### Commencement Information

**I3** Sch. 1 para. 3 in force at 10.10.2005 by S.S.I. 2005/454, art. 2, Sch. 2

4 If it comes to the knowledge of a person who is an employee of a Transport Partnership that a contract in which the person has a direct or indirect pecuniary interest (not being a contract to which that person is a party) has been or is proposed to be entered into by the Transport Partnership, that person shall, as soon as practicable, give written notice of that fact to the Transport Partnership.

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**Commencement Information**

**I4** [Sch. 1 para. 4](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

- 5 (1) An employee of a Transport Partnership who, under colour of the employment, accepts any fee or reward other than remuneration and expenses commits an offence.
- (2) A person who commits such an offence is liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.

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**Commencement Information**

**I5** [Sch. 1 para. 5](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

**Commencement Orders yet to be applied to the Transport (Scotland) Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing [SSI 2008/15 art. 3](#)